

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

PINNACLE TRUST COMPANY, EXECUTOR
OF THE ESTATE OF JIMMY SISK, DECEASED

PLAINTIFF

V.

CAUSE NO.: 1:11CV02-SA-SAA

BABCOCK & WILCOX POWER
GENERATION GROUP, INC.

DEFENDANT

FINAL JUDGMENT

Pursuant to a Memorandum Opinion issued this day, Defendant's Motion for Summary Judgment [70] is GRANTED. Plaintiff has failed to raise a genuine dispute of material fact that B&W actually intended to injure Sisk such that its actions fall outside the Mississippi Workers Compensation Act. Alternatively, even if such actions qualified as intentional torts, the one-year statute of limitations is a bar to this action. Accordingly, Plaintiff's claims are DISMISSED, and this case is CLOSED.

SO ORDERED, this the 17th day of October, 2013.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE